

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

MARK L. KROTOSKI (CASBN 138549)
Chief, Criminal Division

ERIKA R. FRICK (CSBN 208150)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-6973
Facsimile: (415) 436-7234
Email: erika.frick@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
RUBEN CARPIO-ZERMENO,)
)
Defendant.)
)

No. CR 07-0193 WHA

~~PROPOSED~~ ORDER AND
STIPULATION EXCLUDING TIME
FROM APRIL 17, 2007 TO JUNE 5, 2007
FROM THE SPEEDY TRIAL ACT
CALCULATION (18 U.S.C.
§ 3161(h)(8)(A) & (B)(iv))

The parties appeared before the Court on April 17, 2007. With the agreement of the parties, and with the consent of the defendant, the Court enters this order (1) scheduling a change of plea and sentencing date on June 5, 2007, before your Honor; and (2) documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) & (B)(iv), from April 17, 2007 to June 5, 2007. The parties agreed, and the Court found and held, as follows:

1. The parties agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny both government and defense counsel

STIPULATION AND ~~PROPOSED~~ ORDER
CR 07-0193 WHA

reasonable time necessary for effective case preparation because the parties are still engaged in discovery, case discussions, and plea negotiations. The parties are also awaiting preparation of a report of the defendant's criminal history.

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from April 17, 2007 to June 5, 2007 outweighed the best interest of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

3. Accordingly, and with the consent of the defendant, the Court ordered that the period from April 17, 2007 to June 5, 2007 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

4. The Court scheduled a change of plea and sentencing hearing on June 5, 2007, at 2 p.m.

IT IS SO STIPULATED.

DATED: May 12, 2007

/S/
ERIKA R. FRICK
Assistant United States Attorney

DATED: May 11, 2007


/S/
JOSH COHEN
Attorney for Ruben Carpio-Zermeno

~~PROPOSED~~ ORDER

With the agreement of the parties, and with the consent of the defendant, the Court enters this order (1) scheduling a change of plea and sentencing on June 5, 2007, before the Honorable William H. Alsup; and (2) documenting the exclusion of time from April 17, 2007 to June 5, 2007, under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO ORDERED.

DATED: May 16, 2007.


THE HONORABLE WILLIAM H. ALSUP
United States District Judge